



PATENT

Case Docket No. MICRON.093A

Date: September 4, 2002

Page 1

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#6
Petition
To withdraw
Holding of
Aband.
10/29/02
D Bell

In re application of: David Palsulich, et al.
App. No. : 09/385,386
Filed : August 30, 1999
For : TRANSFER LINE FOR
MEASUREMENT SYSTEMS
Examiner : K.T. Nguyen
Art Unit : 2881

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September 4, 2002

(Date)

John M. Grover, Reg. No. 42,610

UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 2327
Arlington, VA 22202

ATTN: BOX DAC

Sir:


Transmitted herewith is a Petition Under 37 C.F.R. § 1.181 To Withdraw Holding of Abandonment in the above-identified application.

Enclosed are:

- (X) a copy of a facsimile cover sheet dated December 11, 2001;
- (X) a copy of a transmittal letter dated December 11, 2001;
- (X) a copy of (2) pages of a Response to Restriction Requirement, also dated December 11, 2001;
- (X) a copy of the front and back of an Internal Docketing Memo used to quality control firm filings, filled out and dated December 11, 2001; and
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John M. Grover
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Attorney of Record
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MACRON.093A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	David Palsulich et al.	Group Art Unit 2881
Appl. No.	:	09/385,386	
Filed	:	August 30, 1999	
For	:	TRANSFER LINE FOR MEASUREMENT SYSTEMS	
Examiner	:	K.T. Nguyen	

**PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW HOLDING OF ABANDONMENT**

Assistant Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

ATTN: **BOX DAC**

Dear Sir:

In response to the Notice of Abandonment mailed July 8, 2002, the Applicants hereby petition to withdraw the holding of abandonment of the above-referenced application pursuant to 37 C.F.R. § 1.181 and in accordance with the guidelines set forth in the Manual of Patent Examining Procedure (M.P.E.P.) § 711.03(a). Presumably, no fee is required.

In the Notice of Abandonment mailed July 8, 2002, the Applicants were informed that the present application was abandoned in view of the Applicants' failure to respond to the Restriction Requirement mailed on November 23, 2001 within the 30 day time period set therein. However, the Applicants' records show that an Election of Group II, Claims 6-49, was timely fax filed on December 11, 2001. This submission was within the 30 day period set in the Restriction Requirement (i.e., prior to the due date of December 23, 2001).

Based on the foregoing, the Applicants respectfully submit that the response of December 11, 2001 was complete and that the application was never abandoned. Therefore, the Applicants hereby request reconsideration of the holding of abandonment and acceptance of the previously submitted election of Group II.

Enclosed herein are the following items which provide evidentiary support for this petition:

1. Copy of a facsimile cover sheet dated December 11, 2001.
2. Copy of a transmittal letter dated December 11, 2001.
3. Copy of (2) pages of a Response to Restriction Requirement, also dated December 11, 2001.
4. Copy of the front and back of an Internal Docketing Memo used to quality control firm filings, filled out and dated December 11, 2001.

In view of the forgoing, the present application is believed never to have been abandoned and is in condition for an Office Action on the merits, and such action is respectfully requested. If further issues remain to be resolved, the Applicants' undersigned attorney can be reached at (949) 721-2946 or at the number listed below.

In addition, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 4, 2002

By: 

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† Also Barrister At Law (Eng. & Wales)
** U.S. Patent Agent

TO: Commissioner for Patents,
FIRM: U.S. Patent and Trademark Office
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FROM: Adeel S. Akhtar, Reg. No. 41,394
OUR REFERENCE NO.: MICRON.093A
SERIAL NO.: 09/385,386
ART UNIT: 2881
FILING DATE: August 30, 1999
TOTAL NUMBER OF PAGES: 4 (INCLUDING COVER SHEET)
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(Date)

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PATENT

Case Docket No. MICRON.093A

Date: December 11, 2001

Page 1

In re application of : Palsulich et al.
App. No. : 09/385,386
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Examiner : Nguyen
Art Unit : 2881

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December 11, 2001

(Date)

Adeel S. Akhtar

Adeel S. Akhtar, Reg. No. 41,394

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	44	—	49	= 0 ×	\$18	= \$0
Independent Claims	8	—	9	= 0 ×	\$84	= \$0
If application has been amended to contain multiple dependent claim(s), then add					\$280	= \$0
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TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0

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Adeel S. Akhtar

Adeel S. Akhtar
Registration No. 41,394
Attorney of Record

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Applicant : Palsulich et al.

Appl. No. : 09/385,386

Filed : August 30, 1999

For : TRANSFER LINE FOR
MEASUREMENT SYSTEMS

Examiner : Nguyen

) Group Art Unit 2881

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In an action mailed November 23, 2001, the Examiner required restriction of prosecution to one of the following groups of claims:

Group I Claims 1-5, drawn to a measurement system; and

Group II Claims 6-49, drawn to a transfer system.

In response, Applicants elect without traverse to proceed with prosecution on the merits of Group II (Claims 6-49).

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Appl. No.

:

69/385,386

Filed

:

August 30, 1999

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Conclusion


In view of the foregoing, Applicant submits that the application is in condition for examination on the merits, and respectfully requests the same.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 11, 2001

By:



Adeel S. Akhtar

Registration No. 41,394

Attorney of Record

620 Newport Center Drive

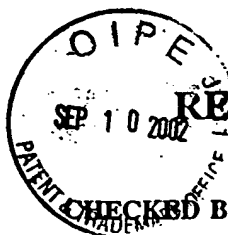
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CASE NO: MICRON.093A

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7. Y Be sure the attorney has signed and dated the response and all other applicable documents, as well as each Certificate of Mailing. The response must be mailed on the date of the Certificate of Mailing.
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